

By: Davis of Harris

H.B. No. 1148

Substitute the following for H.B. No. 1148:

By: Sheffield

C.S.H.B. No. 1148

A BILL TO BE ENTITLED

AN ACT

relating to emergency health care services and trauma care systems.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 773, Health and Safety Code, is amended by adding Section 773.026 to read as follows:

Sec. 773.026. EMERGENCY HEALTH CARE SERVICES COORDINATION PLAN. (a) The administrative cooperatives designated under Section 773.125, in consultation with each trauma service area regional advisory council and the advisory council established by Section 773.012, shall collectively develop a written 25-year plan for coordinating emergency health care services throughout this state.

(b) The emergency health care services coordination plan must include strategies to provide services for:

(1) trauma care;

(2) stroke care;

(3) cardiac care;

(4) neonatal care;

(5) maternal care;

(6) mental health crisis care;

(7) emergency medical services coordination; and

(8) any other area of care provided under the authority of a trauma service area regional advisory council.

(c) The administrative cooperatives and advisory councils

1 shall develop and submit the emergency health care services  
2 coordination plan to the department not later than September 1,  
3 2021. This subsection expires September 1, 2022.

4 SECTION 2. Section 773.112, Health and Safety Code, is  
5 amended by adding Subsection (d) to read as follows:

6 (d) The executive commissioner, in consultation with the  
7 department, shall conduct a comprehensive review of the rules  
8 adopted under this section every seven years.

9 SECTION 3. Subchapter E, Chapter 773, Health and Safety  
10 Code, is amended by adding Sections 773.125, 773.126, 773.127, and  
11 773.128 to read as follows:

12 Sec. 773.125. ADMINISTRATIVE COOPERATIVES: DESIGNATION.

13 (a) The department shall designate eight or more administrative  
14 cooperatives to provide administrative functions for each trauma  
15 service area regional advisory council located in the public health  
16 region served by the cooperative.

17 (b) A trauma service area regional advisory council may  
18 apply to the department in accordance with department rules to be  
19 designated as an administrative cooperative for other trauma  
20 service area regional advisory councils in the public health  
21 region.

22 (c) An applicant must demonstrate the applicant has the  
23 personnel, knowledge, skills, and resources necessary to provide  
24 the administrative functions for each trauma service area regional  
25 advisory council in the applicant's public health region.

26 (c-1) An applicant must submit an initial application under  
27 Subsection (b) not later than September 1, 2018. The department

1 shall designate a qualified applicant to serve as the  
2 administrative cooperative not later than September 1, 2019. An  
3 applicant designated to serve as an administrative cooperative  
4 under this subsection shall carry out the duties imposed by Section  
5 773.126 as soon as practicable after the selection and not later  
6 than September 1, 2020. This subsection expires September 1, 2021.

7 (d) If a trauma service area regional advisory council  
8 eligible to serve as an administrative cooperative under this  
9 section has not applied for the designation in a public health  
10 region, the department shall designate the trauma service area  
11 regional advisory council with the most appropriate qualifications  
12 in the public health region to serve as the administrative  
13 cooperative for that region.

14 Sec. 773.126. ADMINISTRATIVE COOPERATIVES: DUTIES. (a)  
15 Except as provided by Section 773.128, an administrative  
16 cooperative shall perform all administrative functions, including  
17 contract management, grant application management, employee  
18 benefit management, human resource management, and payroll, for  
19 each trauma service area regional advisory council under the  
20 cooperative's jurisdiction. Administrative functions do not  
21 include program activities or activity coordination performed by a  
22 trauma service area regional advisory council under the  
23 administrative cooperative's jurisdiction.

24 (b) The department shall directly contract with an  
25 administrative cooperative for administrative duties provided by  
26 the cooperative as required by this section.

27 (c) An administrative cooperative shall administer and

1 distribute funds to each trauma service area regional advisory  
2 council under the cooperative's jurisdiction in accordance with  
3 department rules. In adopting rules under this subsection, the  
4 executive commissioner shall require that an administrative  
5 cooperative distribute funds according to a trauma service area  
6 regional advisory council's population, annual number of trauma  
7 care runs, geographic size, and annual number of deaths.

8 (d) An administrative cooperative shall enter into a  
9 centralized purchasing agreement with the trauma service area  
10 regional advisory councils under the cooperative's jurisdiction  
11 and other cooperatives to consolidate purchases for the trauma  
12 service area regional advisory councils as appropriate.

13 (e) An administrative cooperative shall submit to the  
14 department in the manner required by the department an annual  
15 report on the amount of money spent by the administrative  
16 cooperative in providing consolidated administrative services for  
17 the trauma service area regional advisory councils under the  
18 cooperative's jurisdiction compared to the amount of money that  
19 would have been spent if each trauma service area regional advisory  
20 council had provided its own administrative services.

21 Sec. 773.127. ADMINISTRATIVE COOPERATIVES: TRANSFER OF  
22 TRAUMA SERVICE AREA REGIONAL ADVISORY COUNCILS. (a) A trauma  
23 service area regional advisory council may apply to the department  
24 in accordance with department rules for a transfer from the  
25 jurisdiction of the trauma service area regional advisory council's  
26 administrative cooperative to the jurisdiction of another  
27 administrative cooperative that is willing and capable of providing

1 administrative services for the trauma service area regional  
2 advisory council in a more cost-effective manner than the current  
3 administrative cooperative is able to provide the services.

4 (b) The executive commissioner shall develop criteria for  
5 determining whether an administrative cooperative has the  
6 personnel, knowledge, skills, and resources necessary to provide  
7 administrative services in a more cost-effective manner for a  
8 trauma service area regional advisory council applying for a  
9 transfer to that administrative cooperative's jurisdiction under  
10 this section.

11 Sec. 773.128. ADMINISTRATIVE COOPERATIVES: REQUEST BY  
12 TRAUMA SERVICE AREA REGIONAL ADVISORY COUNCIL TO RETAIN CERTAIN  
13 ADMINISTRATIVE FUNCTIONS. (a) A trauma service area regional  
14 advisory council may file a written request with the department to  
15 retain an administrative function that has been delegated to an  
16 administrative cooperative. The request must include evidence that  
17 the trauma service area regional advisory council has the  
18 personnel, knowledge, skills, and resources necessary to perform  
19 the administrative function in a more cost-effective manner than  
20 the function is being performed by the administrative cooperative.

21 (b) The department shall grant a request that includes  
22 sufficient evidence for the department to determine that the trauma  
23 service area regional advisory council has the personnel,  
24 knowledge, skills, and resources required by this section and shall  
25 notify the administrative cooperative of the department's  
26 decision.

27 SECTION 4. The executive commissioner of the Health and

1 Human Services Commission shall adopt all rules necessary to  
2 implement the change in law made by this Act not later than January  
3 1, 2018.

4 SECTION 5. The change in law made by this Act applies only  
5 to a contract executed on or after the effective date of this Act. A  
6 contract executed before the effective date of this Act is governed  
7 by the law applicable to the contract immediately before the  
8 effective date of this Act, and that law is continued in effect for  
9 that purpose.

10 SECTION 6. This Act takes effect September 1, 2017.